



LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY

MIKE STRAIN DVM

COMMISSIONER



STRUCTURAL PEST CONTROL COMMISSION
JANUARY 22, 2009
VETERANS' MEMORIAL AUDITORIUM
5825 FLORIDA BLVD. BATON ROUGE, LA 70806
MINUTES

Agricultural & Environmental Sciences

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Agro-Consumer Services

P.O. Box 3098
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Forestry

P.O. Box 1628
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LA 70821
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Management & Finance

P.O. Box 3481
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Marketing

P.O. Box 3334
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Soil & Water Conservation

P.O. Box 3554
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(225) 922-1269
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CALL TO ORDER

The meeting was called to order by Mr. Bass at 9:00 am. Mr. Bass asked Fran McVea to lead the group in prayer and the pledge of allegiance.

ROLL CALL

Ms. Anderson called the roll.

Members present: Fred Bass, Todd Parker, Bob Kunst, Dan Foster

Members absent: Dr. David Boethel

Others present: David Fields, LDAF, Larry LeJeune, LDAF, Bobby Simoneaux, LDAF, Mary Anderson, LDAF, Brady Purpera, LDAF, and Lindsey Hunter, Assistant Attorney General

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

TRAVEL EXPENSE REPORTS

Mr. Bass asked that all Travel Expense Reports be turned into Ms. Anderson.

APPROVAL OF THE MINUTES

Motion: Mr. Kunst made a motion to approve the July 30, 2008 and October 8, 2009 minutes. This motion was seconded by Mr. Parker and passed unanimously.

CITIZEN COMMENT

There was not any one that wished to address the commission.

OLD BUSINESS

Cline Richoux – Mr. Fields reported on the status of this case. Mr. Richoux's case is on appeal in the court system and is scheduled for January 26, 2009 for a ruling.

Rules Committee – Mr. LeJeune reported that the Rules Committee had met and voted to pass the proposed rule changes on new construction and fee increase as is to the Structural Pest Control Commission with recommendation to adopt.

Motion: Mr. Kunst made a motion to adopt the Rule Changes. This motion was seconded by Mr. Foster and passed unanimously.

Public Hearing – Mr. Fields reported that there was a Public Hearing held on December 1, 2008 and that there were no comments.

Motion: Mr. Foster made a motion to adopt the changes on cheating and licensee affidavits. This motion was seconded by Mr. Kunst and passed unanimously.

NEW BUSINESS

Enforcement Response Policy - Mr. Fields presented the proposed Enforcement Response Policy.

Motion: Mr. Parker made a motion to adopt the Enforcement Response Policy as presented. This



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motion was seconded by Mr. Foster and passed unanimously.

Fumigation – Mr. Purpera reported that he had contacted other states about the qualifications for testing for fumigation. Mr. Kunst asked that staff contact companies to see if there are fumigation programs available.

LPMA – Jeff Porter

Mr. Porter informed the commission on the upcoming LPMA Winter Convention to be held in Baton Rouge, January 27, 28 and 29th.

LABEL REQUEST FOR APPROVAL

Sostram – BOR-RAM– Joe Burley made a presentation to the Commission.

Motion: Mr. Kunst made a motion not to approve the label until all changes requested and data is reviewed. Mr. Foster seconded this motion and it passed unanimously.

Dow – Joe Demark, Ph. D and Nicky Hebert

Recruit IV - Dr. Demark made a presentation to the Commission.

Motion: Mr. Foster made a motion to approve this label with revisions. This motion was seconded by Mr. Kunst and passed unanimously.

Recruit IV AG – Dr. Demark made a presentation to the Commission.

Motion: Mr. Foster made a motion to approve this label. This motion was seconded by Mr. Kunst and passed unanimously.

Shatter - Mr. Baxter and Dr. Demark made a presentation to the Commission.

Motion: Mr. Foster made a motion to approve this label with revisions. This motion was seconded by Mr. Kunst and passed unanimously.

LDAF REPORTS

Butch Stegall, LDAF made a presentation on Water Monitoring Program for Pesticides.

Mr. Bass called a break at 10:35. Mr. Bass called the Commission back to order at 11:25 and all members were present.

SOSTRAM – BOR-RAM – Joe Burley

Motion: Mr. Kunst made a motion to accept the changes as previous label plus the change to 60%. This motion was seconded by Mr. Foster and passed unanimously.

ADJUDICATORY HEARING

Mr. Bass turned the meeting over to Ms. Lindsey Hunter, Assistant Attorney General.

Mr. Montgomery advised the Commission that Benny Plumley, Case No. 1266, Mitchel Jones, Case No. 1265 and Don Maille, Case No. 1255 have been continued.

Randy Spears Case No. 1256

Mr. Montgomery advised the Commission that Mr. Spears is charged with 8 violations. Mr. Spears has stipulated to pay a fine of \$800 and to pay the delinquent payment fees owed after Agency audit.

Motion: Mr. Kunst made a motion to accept the stipulation. This motion was seconded by Mr. Parker and passed unanimously.



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Joseph Gaddis, Case No. 1263

Mr. Montgomery advised the Commission that Mr. Gaddis is charged with 1 violation. Mr. Gaddis has stipulated to a fine of \$2500, with \$1500 suspended and probation for 2 years. The payable fine of \$1000 will be paid in 12 monthly installments of \$83.33 per month beginning on March 5, 2009. The probation is that he shall not violate any Structural Pest Control Law or and Rules and Regulations and to timely pay unsuspended monetary penalty.

Motion: Mr. Foster made a motion to accept the stipulation. This motion was seconded by Mr. Kunst and passed unanimously.

Ms. Hunter turned the meeting back to Mr. Bass

LICENSEE APPLICATIONS

NAME OF APPLICANT

PHASES APPROVED

Benny Attaway

Commercial Fumigation

Jeffrey Bathgate

GPC, CVC, TC, Structural Fumigation Commercial Commercial Fumigation and Ship Fumigation

Shane Cialona

TC

James Crawford

GPC, CVC

Jeremi Farrar

GPC, CVC, TC

Michael Gill

GPC, CVC

Joshua B. Guitreau

TC

Stephen Hickox

GPC, CVC, TC

Charles M. Sims

TC

FINANCIAL STATEMENT AND STATUS REPORT

Mr. Fields gave the Commission the Financial Statement and the Status Report.

OTHER BUSINESS

Mr. Kunst requested Staff to find if it is possible to receive a quarterly report on Termite Jobs and to break these numbers down by districts.

FUTURE MEETINGS

Mr. Fields gave a date of April 22, 2009 for the next meeting.

ADJOURN

Motion: Mr. Parker made a motion to adjourn at 12:02. This motion was seconded by Mr. Kunst and passed unanimously.